



General Assembly

February Session, 2008

Raised Bill No. 5513

LCO No. 1764

01764_____INS

Referred to Committee on Insurance and Real Estate

Introduced by:
(INS)

***AN ACT CONCERNING THE RIGHT OF RECOVERY BY THE
CONNECTICUT INSURANCE GUARANTY ASSOCIATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (4) of section 38a-844 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2008*):

4 (4) The association shall have the right to recover from the following
5 persons the amount of any covered claim paid on behalf of such
6 person pursuant to sections 38a-836 to 38a-853, inclusive: (A) Any
7 person who is an affiliate of the insolvent insurer and whose liability
8 obligations to other persons are satisfied in whole or in part by
9 payments made under this chapter; and (B) any insured whose net
10 worth on December thirty-first of the year next preceding the date the
11 insurer becomes an insolvent insurer exceeds [fifty] one hundred
12 million dollars and whose liability obligations to other persons are
13 satisfied in whole or in part by payments made under said sections.
14 For purposes of this subdivision, "insured" does not include a
15 municipality, as defined in section 7-148 of the 2008 supplement to the
16 general statutes, [or] the Second Injury Fund, established in section 31-

17 354, or a tax-exempt nursing home facility under Section 501(c)(3) of
18 the Internal Revenue Code of 1986, or any subsequent corresponding
19 internal revenue code of the United States, as amended from time to
20 time, and "nursing home facility" means a nursing home or rest home
21 that provides nursing supervision or a chronic and convalescent
22 nursing home that provides skilled nursing care under medical
23 supervision and direction.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	October 1, 2008	38a-844(4)
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Statement of Purpose:

To exempt nonprofit nursing homes from being required to repay the cost of claims to the Connecticut Insurance Guaranty Association.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]